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Measures to eliminate international terrorism

Letter dated 16 January 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Cuba to the United Nations addressed to the Secretary-General

I have the honour to transmit to you, enclosed herewith, the statement by the Ministry of Foreign Affairs concerning the denial of visas to Olga Salanueva Arango and Adriana Pérez Oconor, spouses of René González Sehwerert and Gerardo Hernández Nordelo.

Such repeated conduct by the Government of the United States of America constitutes a systematic and flagrant violation of the human rights of René González Sehwerert and Gerardo Hernández Nordelo and their relatives.

I have the honour to request that you circulate this letter as a document of the General Assembly under agenda items 117 and 156.

(*Signed*) Orlando **Requeijo Gual**
Ambassador
Chargé d'affaires a.i.

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Annex to the letter dated 16 January 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Cuba to the United Nations addressed to the Secretary-General

Statement by the Ministry of Foreign Affairs

On 23 December 2003, the United States Interests Section in Havana delivered to the Ministry of Foreign Affairs a diplomatic note returning the passports and visa applications of Olga Salanueva Arango and Adriana Pérez Oconor, spouses of René González Sehwerert and Gerardo Hernández Nordelo. The note stated that such applications would no longer be accepted through the offices of the Ministry and that henceforth the two comrades would have to submit their applications in person.

The new visa request had been made on 7 December 2003, after the United States Interests Section had advised, in mid-November, that its authorities had again decided to deny visas to the two comrades.

What excuse was used by the United States Government to put up these new obstacles and refuse to accept that the visas of Olga and Adriana had been requested through the usual offices of the Ministry of Foreign Affairs?

With astounding cynicism, United States officials argued that the statements made by both Olga and Adriana against the constant denial of their visa requests and in defence of their spouses made them think that the reasons why they wanted to travel to the United States were "no longer humanitarian", because they had become actively involved in a "political campaign" against the United States Government.

It is impossible to imagine a greater absurdity.

Actions such as these prove how relentless the United States authorities have been in denying visas to Olga and Adriana on three occasions during the past two years and, in fact, limiting the elemental right to maintain relationships with their spouses, even under the harsh conditions imposed by their unjust and illegal confinement in United States jails.

With this new decision, the United States Government is continuing to violate the human rights of René, Gerardo and their relatives. It is vainly seeking, through actions of unfettered cruelty, to punish the gallantry shown by our five comrades and their families throughout this whole rigged process.

Olga and Adriana have the right both to demand justice for their spouses and to visit them. Any denial constitutes a violation of international law and also of United States laws.

This decision by the United States authorities violates their international obligations as contained in the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment; and the Standard Minimum Rules for the Treatment of Prisoners, among others.

The United States Government has sought to justify these denials with the ridiculous argument that Olga and Adriana "constitute a threat to the national security of the United States".

The Ministry of Foreign Affairs has continually requested the United States authorities to reconsider these arbitrary denials and comply with their international obligations by allowing Olga and Adriana to exercise the inalienable right to visit their spouses and little Ivette to see her father.

Furthermore, the relatives who have been able to visit our Five Heroes have had to wait months to receive their visas and, as a result, our comrades have not received visits from their families for long periods.

At this time, several relatives of our comrades are still waiting for their visas, although they were requested from the United States Interests Section in August and September 2003. The time that has elapsed is already much longer than the eight weeks required, according to the United States authorities, to process visas for travel to the United States.

Moreover, in violation of the obligations and duties set out in the Vienna Convention on Consular Relations, the Department of State has continued to place obstacles in the way of Cuban consular officials complying with their duty and their right to provide consular assistance to these Cuban citizens. On two occasions they even went so far as to deny travel permits to our officials for consular visits to René González Sehwerert and Gerardo Hernández Nordelo during 2003. Everything indicates that in 2004 the pressure will be stepped up and the obstacles will increase.

In addition, the Department of State has begun to question, hedge and deny the possibility for officials of the Cuban Interests Section in Washington to accompany the relatives of our Five Heroes during their visits to the United States.

The relatives have to travel long distances to reach the places where their loved ones are imprisoned and to stay in alien environments during their visits. They deserve all necessary support, out of an elemental sense of humanity. And it is precisely this support which the United States authorities are questioning and blocking.

A few examples will suffice:

- On 17 June 2003, the Department of State informed the Interests Section that it would not authorize the travel of a Cuban official during the entire stay in Colorado of Antonio Guerrero's mother and son, and that he had to return to Washington on the days when there were no prison visits.
- On 27 July and 6 August, a similar decision was conveyed with regard to the official who was supposed to accompany Ramón Labañino's family to Beaumont, Texas and Fernando González's family to Wisconsin.
- On 8 August, an official in the Cuban Interests Section was denied a permit to accompany René González's daughter on her road journey from Miami, Florida to Edgefield, South Carolina.
- On 17 December, a Cuban diplomat who was supposed to accompany relatives of Gerardo Hernández to Lompoc, California was denied a travel permit.

It is clear that the United States authorities are seeking, in violation of international law, to intensify their actions to prevent or block consular access to our Five Heroes and support for their relatives. They are seeking to punish the example of heroism and patriotism which radiates from them in an obvious attempt to satisfy the most irrational whims of the Cuban mafia in Miami.

Cuba demands that the United States Government put an end to the attacks and hostility against our Five Heroes and their relatives, stop the manoeuvres with regard to the legitimate rights of our comrades, and comply strictly with its international, legal and moral responsibilities.

Havana, 13 January 2004